

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRY D. EAGLE,

Plaintiff,

Case No. 1:10-cv-212

v.

Hon. Janet T. Neff

PATRICK D. CANNON, et al.,

Defendants.

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ORDER APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation (Dkt 13) of the Magistrate Judge, filed June 18, 2010, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendants Cannon, Pilarski, Zanger, Hull and Heibeck's Motion to Dismiss (Dkt. 6) is DENIED without prejudice for the reason stated in the Report and Recommendation.

Dated: July 12, 2010

/s/Janet T. Neff

JANET T. NEFF

UNITED STATES DISTRICT JUDGE